Dear Howard, 3/23/78

The great and welcome change in the weather/temperature continues but with the forecast for rain tomorrow I'm going to go for another walk after I write this.

Dave's visit was pleasant. Glad he was here for some of what transpired. And for the coming true of some of my predictions.

Day before yesterday or yesterday I had a very pleasant and unexpected phone call from Shea. Instead of writing he phoned to tell me that he had been told by the Solicitor General that they have dropped their appeal in 77-2155, fee waiver. Remember I think I predicted this to you and I know I said this would be the end and that it would be soon. I've suggested to him that he submit his bill. I'm sure he will as soon as he can get time to do it.

They had 8 days from the 7th to respond to our request for waiver of all costs in 1996. Shea told me that his affidavit was due Today and that it would not be filed. But that I'd get a copy for a footnote. It says that I lost 2301-70, that they won, that it was probably the most important and influential of the factors that led the Congress to amend the investigatory file exemption. This consided "What a victory!"

So they were already overdue and they are not disputing it now. It would have been awkward because he'd atested in 2155 that there was more cause to waive in this case than in that and the judge held for me in 2155. As he says he told others. Thus they could not deny me in 1996. But I doubt they'll tell the judge this.

I'm not clear on it but I think he told me that they are giving me the first 40,000 FBI pages, too. I know I have the impression that he said this and I am sure I gave that impression to Dave but I'm not sure of this part of the conversation.

It was a long and pleasant conversation. As a result of it and the recent letters I believe that while we see what they should do differently I believe that he is largely the creature of those who have misinformed him. We'll see before long. We are meeting at 10 the morning of my next status call, about 2 weeks.

I don't want to sound TOO much I told you so, but I did. It is changing even more.

I think the top policy in DJ is involved, if not in FBI. I believe this will ease the problems presented by the FBI's stonewalling. Which has again acted after we filed suit pretending otherwise, telling me that they have begun to check the Dallas and NO FOs.

Jim is of the belief the Epstein provides a good opportunity. He will take it as soon as he has the time.

Hope your visit was as pleasant as it seemed to be. And that whatever you decide is best for you. Jim told me that the two of you did not have time to get together again. I think he said he'll be calling you so he may fill you in more.

You looked good. And not because we were glad to see you only.

Best,